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Agenda Date: 10/7/2009

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Airport Land Use Commission Board Agenda Letter

TO: Airport Land Use Commission

FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning

REPORT BY: RONALD GEE, PLANNER III - 707.253.4417

SUBJECT: CITY OF AMERICAN CANYON / JIM NORD TRUST, ET AL - CLARKE RANCH AND EUCALYPTUS GROVE GENERAL PLAN AMENDMENT AND PREZONING - AIRPORT LAND USE CONSISTENCY DETERMINATION # P09-00415-ALUC

RECOMMENDATION

CITY OF AMERICAN CANYON / JIM NORD TRUST, ET AL - CLARKE RANCH AND EUCALYPTUS GROVE GENERAL PLAN AMENDMENT AND PREZONING - AIRPORT LAND USE CONSISTENCY DETERMINATION # P09-00415-ALUC

Request: Airport Land Use Determination for a General Plan Amendment and Prezoning by the City of American Canyon for Clarke Ranch West, a 30.39 acre portion of a 113.83 acre site, and Prezoning for the Eucalyptus Grove, a 106.57 acre site, both located within Airport Land Use Compatibility Zones D and E of the Napa County Airport. The projects are located at 2 Eucalyptus Drive, north and northwest of the intersection of Wetlands Edge and Eucalyptus Drive, Assessor's Parcel Numbers # 058-020-013 (portion) and # 058-030-056, American Canyon.

Staff Recommendation: That the Commission find the project consistent with the Airport Land Use Compatibility Plan (ALUCP).

Staff Contact: Ronald Gee, 299-1351, rgee@co.napa.ca.us

EXECUTIVE SUMMARY

Proposed Action:

1. That the Airport Land Use Commission find the Prezoning by the City of American Canyon for Clarke Ranch West, a 30.39 acre portion of a 113.83 acre site, and Prezoning for the Eucalyptus Grove, a 106.57 acre site (# P09-00415-ALUC) consistent with the Napa County Airport Land Use Compatibility Plan.

Discussion:

As set forth in State Aeronautics Law (Public Utilities Code, Section 21676), the Airport Land Use Commission (ALUC) must review the proposed General Plan Amendment prior to its consideration by the City of American Canyon City Council because the proposal involves changes to General Plan designations and policies within airport influence areas. In its independent capacity, the ALUC is only reviewing the proposal for airport compatibility. As supported in the Background and Discussion Section of this report, ALUC Staff has reviewed the proposal for consistency with Airport Land Use Compatibility Plan (ALUCP) policies, and recommends that the ALUC find the project consistent with the ALUCP.

Authority

According to *Napa County Airport Land Use Compatibility Plan (ALUCP)*, Section 1.3.1, General Plan Consistency Review,

"The (Airport Land Use) Commission shall review the local general plans and specific plans for the affected jurisdictions to determine consistency with the Airport Land Use Commission's policies . . . until such time as the Commission finds that the local general plan or specific plan is consistent with the ALUCP; or the local agency has overruled the Commission's determination, all actions, regulations and permits shall be referred to the Commission for a consistency determination. (Section 21676.5(a))"

Section 1.3.2, Statutory Requirements, states:

"As required by State law, the following types of actions shall be referred to the ALUC for determination of consistency with the Commission's plan prior to their approval by the local jurisdiction:

(a) The adoption or approval of any amendment to a general or specific plan affecting the Commission's geographic area of concern as indicated in paragraph 1.1 (Section 21676(b)). . ."

The project properties are located in Napa County Airport Zone D, the Common Traffic Pattern, and Zone E, Other Airport Environs.

Project

In July 2008, the City of American Canyon (City) and Napa County (County) entered into an agreement whereby the City agreed to streamline its water service regulations in return for the County's agreement to amend the City's Rural-Urban Limit Line. In this Memorandum of Understanding (MOU), the County agreed to support City annexation of certain properties that are located within the County, including Clarke Ranch West.

Although included within the designated Urban Limit Line, Clarke Ranch West is located outside the City's General Plan land use map boundaries. The MOU requires the City to permit only recreation and open space uses on this property and to preserve open space uses on the property in perpetuity through conservation easement. The proposed General Plan designation for Clarke Ranch West is "Open Space", an existing land use designation in the City's General Plan.

Due to Clarke Ranch West's physical separation from the rest of the City, annexation of Clarke Ranch West is dependent upon concurrent annexation of the Eucalyptus Grove. The Eucalyptus Grove is included within the City's Sphere of Influence. A property tax-sharing agreement between the City and County was approved in 2003. The Eucalyptus Grove has an existing City General Plan land use designation of "Commercial Recreation".

Before Clarke Ranch West and the Eucalyptus Grove can be annexed to the City, State regulations regarding City annexation of County property (Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000) require establishment of zoning regulations prior to annexation, a process known as "prezoning". The project

includes a concurrent rezoning request to establish zoning regulations for both properties.

The proposed City General Plan and rezoning designation for Clarke Ranch West is "Open Space" District. The City will ultimately program specific open space and recreation uses for the property through a master plan process. Potential land uses would include agriculture, a campground, outdoor recreation, a staging area, animal shelter, public information center or a public safety building.

The Eucalyptus Grove is currently zoned "AW:AC" (Agricultural Watershed : Airport Compatibility) District by the County. The City rezoning would designate the site "Commercial Recreational" District which would include a broad range of low impact recreation and open space uses, including those listed above for Clarke Ranch West. As stated in concurrent rezoning ordinance amendment to the City's Recreation and Open Space District, no high-density institutional uses (e.g., community center, lodge, conference center or cultural facility) would be allowed either as a permitted or conditional use in the "Commercial Recreational" District.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

The City of American Canyon has prepared a Mitigated Negative Declaration (MND) for the project with its public review period ending on October 5, 2009. The MND concludes that the project will not result in significant impacts to airport compatibility. The MND is scheduled for adoption before the City of American Canyon City Council on October 20, 2009. The *Environmental Checklist* and *XV. Transportation/Traffic* section of the MND are attached.

BACKGROUND AND DISCUSSION

Airport Land Use Consistency Factors:

1. Location - The Clarke Ranch West property is a level, undeveloped, rectangular, 30.39 acre portion of a 113.83 acre site located west and north of the intersection at Eucalyptus Drive and Wetland's Edge Road, about 0.9 mile west of Broadway/SR 29. About 80% of the site is located in Zone D - Common Traffic Pattern Zone; the southwest corner is located in Zone E - Other Airport Environs Zone. The site is approximately 9,400-feet (1.78 miles) south of the centerline of Runway 6/24, and about 9,500-feet (1.80 mile southeast of Runway 18/36. Typical overflights of the project consist of aircraft on the downwind approach leg to Runway 6/24 and southbound departure traffic.

The Eucalyptus Grove is an irregularly-shaped, 106.57 acre site, located north and east of the intersection at Wetland's Edge Road and Eucalyptus Drive, about 0.7 mile west of Broadway/SR 29. The partially-developed site has an existing paint-ball recreational facility. About 90% of the site is located in Zone D - Common Traffic Pattern Zone; the southwest corner is located in Zone E - Other Airport Environs Zone. The site is approximately 7,920-feet (1.5 miles) south of the centerline of Runway 6/24, and about 7,800-feet (1.48 miles) southeast of Runway 18/36.

2. Land Use – The project includes a General Plan Amendment/Rezoning for a 30.39 acre portion of the 113.83 acre Clarke Ranch West site. This portion of the property would be designated "Open Space" under both the City General Plan and rezoning; the balance of the site would remain undesignated in the City General Plan and

would retain its current Agriculture, Watershed & Open Space designation in the Napa County General Plan. The City's proposed master plan for the Clarke Ranch West site includes agricultural, campground, outdoor recreation staging area, animal shelter, public information center and public safety building uses. The City does not wish to change the Eucalyptus Grove's current "Commercial Recreation" City General Plan land use designation; it would be rezoned to the "Commercial Recreation" District which includes a broad range of low-impact recreation and open space uses.

The City is amending its Zoning Ordinance as part of the Rezoning process to establish specific open space uses for Clarke Ranch West and recreation uses for the Eucalyptus Grove. Attached changes to Chapter 19.15, Recreation and Open Space also create Development Standards for this list of uses. The permitted and conditionally permitted open space uses for the Clarke Ranch West are indicated by "OS-CRW" and "CR" for the Eucalyptus Grove. No clubs, lodges, community/conference centers, cultural facilities or religious facilities will be allowed on the Eucalyptus Grove site. All other listed uses are considered conforming low-density land uses under the ALUCP.

The Zone D - Common Traffic Pattern area is routinely overflowed by aircraft operating to and from the airport with frequent single-event noise intrusion. Overflights from these areas can range from near the traffic pattern altitude (about 1,000-feet above the ground) to as low as 300-feet above ground. Accident risk varies from low to moderate. Areas where aircraft are near pattern altitude (e.g., downwind leg) have the lowest risk. In areas where aircraft are at lower latitudes (especially on circle-to-land instrument approaches) a moderate level of risk exists.

In Zone E - Other Airport Environs, overflights can occur anywhere in these areas when aircraft are departing or approaching the airport. Overflight annoyance is the primary impact element in these areas. The risk of accident is very low. All permitted uses, consistent with applicable Zoning Ordinance and maximum General Plan density designation, are allowed in this zone, including single-family residences.

ALUC Staff considers the proposed General Plan Amendment and Rezoning to be consistent with ALUCP policies. The City's intent to require master-plan development of the Clarke Ranch West for the above uses and defined limitations in use and development of the Eucalyptus Grove site in the new "Commercial Recreation" District ensure that any proposed recreational and open space land uses on these properties within Airport Compatibility Zones D and E will remain compatible with airport operations.

3. Concentration of People – With the proposed General Plan Amendment and Rezoning, no significant increase to possible density would occur and no increases are being enabled as result of the change. The actions clarify that less dense agricultural, open space, recreational and public service-related land uses would be allowed; these land use in both the City and Napa County are consistent with airport operations and compatibility.

4. Building Height – No changes to City regulations related to building height limits are proposed. The City's building height limits remain 35 ft. for occupied structures in both the "Open Space" and "Commercial Recreation" Districts, both consistent with ALUCP standards.

5. Lighting and Glare – No changes to City regulations concerning light and glare are proposed. The City's rezoning would be fully consistent with the ALUCP.

6. Communications – The proposed General Plan Amendment/Rezoning will not change any City regulations concerning communication facilities and the City's regulations will continue to be consistent with ALUCP standards.

7. Building Materials – No changes to County regulations concerning building materials are proposed. The County's zoning remains consistent with the ALUCP.

8. Overflight Easement – The County requires overflight easements for all projects located within airport influence areas. No changes to this long established requirement will occur as part of this General Plan Amendment/Rezoning; City regulations would remain consistent with the ALUCP.

9. Caltrans Aeronautics – California Department of Transportation, Division of Aeronautics (Caltrans Aeronautics) staff has been sent copies of attached background information. Caltrans Aeronautics also received a referral of the MND/Environmental Document when it was circulated. No comments have been received regarding the project.

10. Processing – ALUCP Policy 1.3.2 requires any amendment to a general plan affecting the ALUC's geographic area of concern to have airport land use consistency determination prior to approval by the local jurisdiction. The project was reviewed by the City Planning Commission on September 24, 2009 and is scheduled for City Council action October 20, 2009. The City Planning Commission recommended approval for the project, as proposed, except for one change; they recommended the City Council allow one single-family dwelling in the southeast corner of the Eucalyptus Grove site located in Zone E - Other Airport Environs Zone, an allowable use in Zone E. The project complies with ALUCP Policy 1.3.2 as described above.

SUPPORTING DOCUMENTS

- A . Recreation and Open Space District Ordinance
- B . Environmental Document (MND portion)
- C . Graphics

Airport Land Use Commission: Approve

Reviewed By: John McDowell